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5 *Attorney for Defendant*
6

7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,)
10) 2:20-MJ-1023-BNW
11 Plaintiff,)
12 vs.)
13 ARSENIO MARTINEZ,)
14 Defendant.)
15 _____)

JOINT STATUS REPORT

16
17 Defendant ARSENIO MARTINEZ, by and through his counsel Benjamin Durham,
18 and the United States, by and through RACHEL KENT, Assistant United States Attorney,
19 counsel for Plaintiff, submit this joint status report as required by the Court.

20 The parties report as follows:

21 1. Mr. Martinez has completed all requirements as set forth in the Plea Agreement
22 filed on March 10, 2021. (ECF 14).

23 2. Accordingly, the parties jointly move to allow Mr. Martinez to withdraw his guilty
24 plea to Count One of the Criminal Complaint, and the government moves to amend Count
25 One to a charge of Reckless Driving, a violation of 36 CFR 4.2 and NRS 484B.653.

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1 3. The parties stipulate to allow Mr. Martinez to plead guilty to the amended Count
2 One, and the parties jointly recommend that the original sentence be applied to the
3 Reckless Driving count as amended and that this matter be closed.
4

5 DATED this 13th day of September, 2021.
6

7 BENJAMIN DURHAM LAW FIRM

CHRISTOPHER CHIOU
United States Attorney

8 */s/ Benjamin Durham*

/s/ Rachel Kent

9 BENJAMIN DURHAM

10 RACHEL KENT
11 Nevada Bar No. 7684
12 *Attorney for Defendant*

13 Assistant United States Attorney

14 Order

15 **IT IS SO ORDERED**

16 **DATED:** 11:57 am, September 16, 2021

17 

18 **BRENDA WEKSLER**
19 **UNITED STATES MAGISTRATE JUDGE**